Under Article 235 of the Constitution of India, the administrative control over the Members of the subordinate judiciary in the States vests with the concerned High Court and the State Government. As such, creation of posts in subordinate judiciary is the concern ofthe State Government.

Providing infrastructural facilities to the High Courts is the responsibility of the concerned State Governments. However, to augment the resources ofthe State Governments, the Central Government is implementing a scheme for the development of infrastructure facilities for the judiciary which includes construction of court buildings and residential accommodation for judicial officers/judges. A scheme for comprehensive computerization of the District and Subordinate Courts based on the National Policy and Action Plan prepared by the E-Committee is also currently under implementation.

Fast track disposal of criminal cases

4062. SHRI GIREESH KUMAR SANGHI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Supreme Court has asked the Ministry to find out whether trial in all criminal cases, pending for more than five years, could be fast tracked;

(b) whether the Court has also pointed out that if this proposal is accepted, it could potentially revolutionize the criminal justice system;

(c) whether the judicial system is presently clogged by rapid increase in the number of criminal cases, without any corresponding increase in the number of trial courts, to handle the deluge; and

(d) whether the Ministry has considered the proposal and a final decision has been taken?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) The Supreme Court of India in Transfer Case (Civil) No. 22/2001, Brij Mohan Lai *vs.* Union of India & Others, that *inter-alia,* deals with matters relating to Fast Track Courts which have been constituted for disposal of long pending sessions cases, has in its Order dated 20.11.2007 mentioned as follows:

"Having heard Mr. Narasimha, learned amicus curiae and the learned Solicitor General of India, we are ofthe opinion that the charts, supplied by the former, may be considered the basis by the Law Ministry for arriving at a decision in regard to the transfer of cases from criminal to civil, and in particular, the cases which are more than 5 years old, for disposal by the Fast Track Courts ..."

(c) There is an increase in the number of criminal cases in the court, Government has taken various measures for facilitating expeditious disposal of criminal cases which include setting up of Fast Track courts, amendments to Criminal Procedure Code and Computerisation of Courts. The Gram Nyayalayas Bill, 2007 was also introduced to enable setting-up of more trial courts in the country at the intermediate Panchayat level.

(d) Government is examining the matter.

Separation of functions of organs of democracy

4063. SHRIMATI SYEDA ANWARA TAIMUR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government is launching a consensus-based action, to tighten the demarcation line separating the functions of the three organs of democracy-legislature, executive and judiciary;

.(b) if so, the salient features of such an action plan; and

(c) whether the provisions of the Constitution are sufficient to effectively plug such breaches, which, of late, are happening frequently?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) No, Sir.

Provisions of Constitution of India envisage complete separation of three organs of State *i.e.* Legislature, Executive and Judiciary. By and large, these democratic institutions are functioning in their demarcated areas.

(c) Yes, Sir.

Conference on Gram Nyayalayas Bill

4064. DR. T. SUBBARAMI REDDY: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Ministry had called for a conference of State Law Ministers, Law Secretaries of States and the Registrars General of High Courts, to discuss the Gram Nyayalayas Bill, 2007;

(b) if so, whether the aim was to find out how Gram Nyayalayas can be set up in the country;

(c) if so, what was the outcome of the discussions held;

(d) what were the recommendations made; and

(e) by when a final decision in this regard is likely to be taken?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) Yes, Sir.

(c) and (d) In the Conference of Law Ministers and Law Secretaries and Registrar Generals of High Courts held on 1st February, 2008, the provisions of the Gram Nyayalayas Bill, 2007 introduced in Rajya Sabha on 15th May, 2007 Were discussed at length. There was broad agreement in the Conference to the establishment of Gram Nyayalayas.

(e) In the light of the recommendations of the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice and the above said Conference, the Government has approved the proposal for introduction of the Gram Nyayalayas Bill,2008 and to withdraw the Gram Nyayalayas Bill, 2007.

Accountability of judges

4065. DR. K. MALAISAMY: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether, as per the existing system and practice, there is any possibility of accountability of judges in their style of functioning;